

**Notice of Allowability**

Application No.

10/811,185

Examiner

Shantell Portis

Applicant(s)

CHENG, STEVEN D.

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/26/2004.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Specification:

On page 8, line 22, please replace "Fig. 5" with --Figs. 5a and 5b--.

(END OF AMENDMENT)

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shantell Portis whose telephone number is 571-272-0886. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2681

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SLP   
December 22, 2005

  
ERIKA A. GARY  
PRIMARY EXAMINER

***Allowable Subject Matter***

1. Claims 1-18 are allowed.
2. The following is an examiner's statement of reasons for allowance: The present invention is drawn to a method for a mobile station to detect and estimate radiation power. The closest prior art of record MacDonald et al. (MacDonald), U.S. Patent Application Publication No. 2004/0152471 discloses methods and apparatus for mobile station location estimation. The prior art further discloses a method for locating a mobile station comprising the following steps: obtaining a current mobile station (mobile telephone) location [0048]; generating a base station combination and corresponding base station information (MAHO list), wherein the base station combination and the corresponding base station information are retrieved by searching in a first database (the MSC stores these MAHO lists) while using location information of a serving base station as a search index (the appropriate list is sent to the mobile telephone depending on the serving cell site), the base station combination comprising the serving base station and nearby base stations close to the serving base station (the MAHO lists contains the signal strengths of the cells adjacent to the serving cell) [0046]; and calculating a distance between the mobile station and each base station listed in the base station combination according to the current mobile station location and the base station information in the base station combination [0052]. The prior art fails to disclose a method for a mobile station to detect and estimate radiation power received thereby, comprising the following steps: estimating total radiation power by substituting calculated distances into a predetermined equation; checking whether the total radiation

power is greater than a preset minimal safety value; and informing the mobile user if the total radiation power is greater than the preset value as required in the invention. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Smolik, U.S. Patent No. 6,119,005 discloses a system for automated determination of handoff neighbor list for cellular communication systems.

Stein et al., U.S. Patent Application Publication No. 2003/0008669 discloses a method and apparatus for estimating the position of a terminal based on identification codes for transmission sources.

Dutta et al., U.S. Patent Application Publication No. 2005/0170834 discloses a systems and methods for handover between space based and terrestrial radioterminal communications.

Haartsen, U.S. Patent No. 5,491,837 discloses a method and system for channel allocation using power control and mobile-assisted handover measurements.

Uehara et al., U.S. Patent No. 6,477,380 discloses a system and method for estimating location of mobile station.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shantell Portis whose telephone number is 571-272-0886. The examiner can normally be reached on Monday-Friday 7:00am-3:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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SLP

December 2, 2005

  
ERIKA A. GARY  
PRIMARY EXAMINER